

**OFFICIAL FILE  
ILLINOIS COMMERCE COMMISSION**

**STATE OF ILLINOIS  
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**ORIGINAL**

**ILLINOIS  
COMMERCE COMMISSION**

**FEB 6 10 30 AM '01**

XO ILLINOIS, INC.

Application for Proprietary Treatment  
for Annual Reports Under Section 5-109 of  
the Illinois Public Utilities Act

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Docket No.

**CHIEF CLERK'S OFFICE**

01-0122

**PETITION FOR PROPRIETARY TREATMENT**

XO Illinois, Inc. ("XO"), by its attorneys, and pursuant to Section 5-109 of the Public Utilities Act (220 ILCS 5/5-109) and Section 7(1)(g) of the Illinois Freedom of Information Act, hereby applies for proprietary treatment of its annual report for the year 2000 for a period of no less than five years. In support of its Application, XO states as follows:

1. XO is a corporation duly authorized to do business in the State of Illinois, is subject to the jurisdiction of the Illinois Commerce Commission (the "Commission") and has received authority from the Commission to provide local exchange and inter-exchange services.
2. XO is required by Section 5-109 of the Illinois Public Utilities Act to file with the Commission annual reports reporting information regarding XO's accounts that is requested by the Commission, and specifically include reports of various operating and expense revenues.
3. Section 5-109 of the Public Utilities Act provides that such annual report be open to public inspection unless otherwise ordered by the Commission. Section 7(1)(g) of the Illinois Freedom of Information Act provides that trade secrets and commercial or financial information shall be exempt from inspection and copying if obtained from a person or business where the trade secrets or information are proprietary, privileged or confidential, or where disclosure of the trade secrets or information may cause competitive harm.

4. The information contained in XO's annual report contains financial and other information that is considered and treated as proprietary, privileged and confidential by XO and its disclosure would therefore cause XO competitive harm.

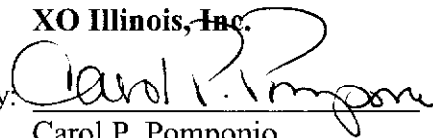
5. XO therefore requests that the Commission treat XO's annual report filed in accordance with Section 5-109 of the Illinois Public Utilities Act as proprietary documents that are exempt from public inspection and copying for a period of no less than five years.

WHEREFORE, XO respectfully prays that the Commission grant proprietary treatment to XO's 2000 annual report.

Respectfully submitted,

**XO Illinois, Inc.**

By.



Carol P. Pomponio  
XO Illinois, Inc.  
303 East Wacker  
Chicago, Illinois 60601  
(312) 327-2103

Clyde Kurlander  
Attorney for XO Illinois, Inc.  
Three First National Plaza, Ste. 2375  
Chicago, IL 60602

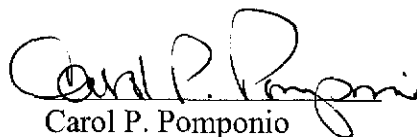
Its Attorneys

Dated: February 5, 2001

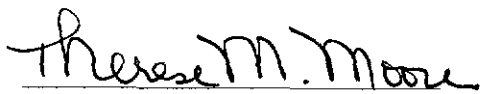
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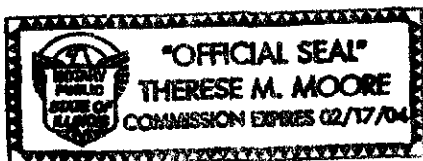
**VERIFICATION**

Carol P. Pomponio, being first duly sworn, deposes and states that she is an attorney for XO Illinois, Inc., that she has read the foregoing Application for Proprietary Treatment and knows the contents thereof, and that the statements therein contained are true, to the best of her knowledge, information and belief.

  
Carol P. Pomponio

SUBSCRIBED AND SWORN to  
before me this 6th day of February 2001.

  
Notary Public



My commission expires on 02/17/04.

**STATE OF ILLINOIS  
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**NOTICE OF FILING**

Please take notice that on February 5, 2001, XO Illinois, Inc. sent by FedEx overnight mail, postage prepaid, an original and five copies of its Application for Proprietary Treatment to the Chief Clerk of the Illinois Commerce Commission, Donna Caton, 527 E. Capitol, Springfield, Illinois 62701.

  
Carol P. Pomponio

**CERTIFICATE OF SERVICE**

I, Carol P. Pomponio, certify that on February 5, 2001, I served a copy of the foregoing document, together with a Notice of Filing, upon all parties of record by United States mail, postage prepaid, Chicago, Illinois.

  
Carol P. Pomponio

Carol P. Pomponio  
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Chicago, Illinois 60601  
(312) 327-2103